

Message

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**From:** Nagrani, Kavita [Nagrani.Kavita@epa.gov]  
**Sent:** 9/15/2020 5:17:42 PM  
**To:** Jenkins, Brandi [Jenkins.Brandi@epa.gov]  
**Subject:** RE: Inquiry re: Fla 404 assumption

Ok, thanks – sorry for the late comment!

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**From:** Jenkins, Brandi <Jenkins.Brandi@epa.gov>  
**Sent:** Tuesday, September 15, 2020 1:16 PM  
**To:** Nagrani, Kavita <Nagrani.Kavita@epa.gov>  
**Cc:** McGill, Thomas <McGill.Thomas@epa.gov>; Gettle, Jeaneanne <Gettle.Jeaneanne@epa.gov>; Wise, Allison <Wise.Allison@epa.gov>; Calli, Rosemary <Calli.Rosemary@epa.gov>; Laycock, Kelly <Laycock.Kelly@epa.gov>; Hicks, Matt <Hicks.Matthew@epa.gov>; Creswell, Michael <Creswell.Michael@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>  
**Subject:** Re: Inquiry re: Fla 404 assumption

Yes, I already sent.

Sent from my iPhone

On Sep 15, 2020, at 1:13 PM, Nagrani, Kavita <Nagrani.Kavita@epa.gov> wrote:

Has this already gone to HQ for review? I might rephrase slightly, and I moved the placement of the sentence in red, but I know time is of the essence.

## Ex. 5 Deliberative Process (DP)

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**From:** Jenkins, Brandi <Jenkins.Brandi@epa.gov>  
**Sent:** Tuesday, September 15, 2020 12:53 PM  
**To:** McGill, Thomas <McGill.Thomas@epa.gov>  
**Cc:** Gettle, Jeaneanne <Gettle.Jeaneanne@epa.gov>; Wise, Allison <Wise.Allison@epa.gov>; Calli, Rosemary <Calli.Rosemary@epa.gov>; Laycock, Kelly <Laycock.Kelly@epa.gov>; Hicks, Matt <Hicks.Matthew@epa.gov>; Nagrani, Kavita <Nagrani.Kavita@epa.gov>; Creswell, Michael

<Creswell.Michael@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>

**Subject:** Re: Inquiry re: Fla 404 assumption

Thanks Tom. I'm seriously limited right now without access to my computer. If I don't receive any additional comments by 1:00, I'm going to send to HQ for review.

Thanks,  
Brandi

Sent from my iPhone

On Sep 15, 2020, at 12:50 PM, McGill, Thomas <Mcgill.Thomas@epa.gov> wrote:

## Ex. 5 Deliberative Process (DP)

**From:** Jenkins, Brandi <Jenkins.Brandi@epa.gov>

**Sent:** Tuesday, September 15, 2020 12:40 PM

**To:** McGill, Thomas <Mcgill.Thomas@epa.gov>

**Subject:** Re: Inquiry re: Fla 404 assumption

## Ex. 5 Deliberative Process (DP)

Brandi

Sent from my iPhone

On Sep 15, 2020, at 12:28 PM, McGill, Thomas  
<Mcgill.Thomas@epa.gov> wrote:

## Ex. 5 Deliberative Process (DP)

**From:** Gettle, Jeaneanne <Gettle.Jeaneanne@epa.gov>

**Sent:** Tuesday, September 15, 2020 12:27 PM

**To:** McGill, Thomas <Mcgill.Thomas@epa.gov>; Jenkins, Brandi  
<Jenkins.Brandi@epa.gov>; Hackel, Angela <Hackel.Angela@epa.gov>

**Cc:** Risley, David <Risley.David@epa.gov>; Fuld, John  
<Fuld.John@epa.gov>; Wise, Allison <Wise.Allison@epa.gov>; Calli,  
Rosemary <Calli.Rosemary@epa.gov>; Laycock, Kelly  
<Laycock.Kelly@epa.gov>; Hicks, Matt <Hicks.Matthew@epa.gov>;  
Nagrani, Kavita <Nagrani.Kavita@epa.gov>; Creswell, Michael

<Creswell.Michael@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>

**Subject:** RE: Inquiry re: Fla 404 assumption

## Ex. 5 Deliberative Process (DP)

**From:** McGill, Thomas <McGill.Thomas@epa.gov>

**Sent:** Tuesday, September 15, 2020 12:14 PM

**To:** Jenkins, Brandi <Jenkins.Brandi@epa.gov>; Hackel, Angela

<Hackel.Angela@epa.gov>

**Cc:** Risley, David <Risley.David@epa.gov>; Fuld, John

<Fuld.John@epa.gov>; Wise, Allison <Wise.Allison@epa.gov>; Calli,

Rosemary <Calli.Rosemary@epa.gov>; Gettle, Jeaneanne

<Gettle.Jeaneanne@epa.gov>; Laycock, Kelly <Laycock.Kelly@epa.gov>;

Hicks, Matt <Hicks.Matthew@epa.gov>; Nagrani, Kavita

<Nagrani.Kavita@epa.gov>; Creswell, Michael

<Creswell.Michael@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>

**Subject:** RE: Inquiry re: Fla 404 assumption

I've made some suggested updates as follows to the desk statement, now that the date for the FR publication and public hearing dates are firm. I'm copying the ORC folks that are on the assumption team to weigh-in.

## Ex. 5 Deliberative Process (DP)

Also, here is a quick response to the questions from Politico:

Q: The notice references an Aug 27 memo from David Ross. Can you tell me if this undated memo is that one?

**Ex. 5 Deliberative Process (DP)**

Q: Also, can you tell me the timeline for both the ESA consultation and the 404 request decision?

**Ex. 5 Deliberative Process (DP)**

**From:** Jenkins, Brandi <[Jenkins.Brandi@epa.gov](mailto:Jenkins.Brandi@epa.gov)>  
**Sent:** Tuesday, September 15, 2020 11:43 AM  
**To:** Hackel, Angela <[Hackel.Angela@epa.gov](mailto:Hackel.Angela@epa.gov)>  
**Cc:** Risley, David <[Risley.David@epa.gov](mailto:Risley.David@epa.gov)>; Fuld, John <[Fuld.John@epa.gov](mailto:Fuld.John@epa.gov)>; Wise, Allison <[Wise.Allison@epa.gov](mailto:Wise.Allison@epa.gov)>; McGill, Thomas <[McGill.Thomas@epa.gov](mailto:McGill.Thomas@epa.gov)>; Calli, Rosemary <[Calli.Rosemary@epa.gov](mailto:Calli.Rosemary@epa.gov)>; Gettle, Jeaneanne <[Gettle.Jeaneanne@epa.gov](mailto:Gettle.Jeaneanne@epa.gov)>  
**Subject:** Re: Inquiry re: Fla 404 assumption

And I just received a call from Bloomberg Industry.

My computer just died so we can't **Ex. 5 Deliberative Process (DP)**

**Ex. 5 Deliberative Process (DP)**

Specifically, Bloomberg wants to know why this is good for the state of Florida.

I'm adding the Region 4 team to help with a fast response for review.

**Ex. 5 Deliberative Process (DP)**

## Ex. 5 Deliberative Process (DP)

Sent from my iPhone

On Sep 15, 2020, at 11:21 AM, Jenkins, Brandi  
<[Jenkins.Brandi@epa.gov](mailto:Jenkins.Brandi@epa.gov)> wrote:

Thanks Angela. We can coordinate with OW on a response. An extension would be good.

Brandi

Sent from my iPhone

On Sep 15, 2020, at 11:14 AM, Hackel,  
Angela <[Hackel.Angela@epa.gov](mailto:Hackel.Angela@epa.gov)>  
wrote:

Hello everyone,

Please see the below. She is hoping to hear back by noon. (I am checking to see if she can extend or update).

Please let me know how you would like to respond.

Thanks,

Angela

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**From:** Annie Snider  
<[asnider@politico.com](mailto:asnider@politico.com)>  
**Sent:** Tuesday, September 15, 2020  
10:42 AM  
**To:** Press <[Press@epa.gov](mailto:Press@epa.gov)>; Block,  
Molly <[Molly.Block@mail.house.gov](mailto:Molly.Block@mail.house.gov)>;  
Hewitt, James <[hewitt.james@epa.gov](mailto:hewitt.james@epa.gov)>  
**Subject:** Inquiry re: Fla 404 assumption

Hi all, I see that Florida's request for assumption is in tomorrow's Federal Register. I also see that EPA has flipped its interpretation of whether ESA consultation is required for this step. The notice references an Aug 27 memo from David Ross. Can you tell me if this undated memo is that one?  
<https://www.epa.gov/sites/production/>

files/2020-  
08/documents/esa\_consultation\_policy  
for\_404g.pdf

Also, can you tell me the timeline for  
both the ESA consultation and the 404  
request decision?

Annie Snider  
Reporter  
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[asnider@politico.com](mailto:asnider@politico.com)  
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646-250-1943 - cell  
@AnnElizabeth18